

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)

LISA M.F. KIM, et al.,

Plaintiffs,

vs.

**BOARD OF EDUCATION OF
HOWARD COUNTY,**

Defendant.

:
:
:
:
:
:
:
:
:
:
:

Case No. 1:21-cv-655-DKC

DEFENDANT'S MOTION TO DISMISS

Defendant Board of Education of Howard County hereby moves under Rule 12(b)(6) of the Federal Rules of Civil Procedure for dismissal of this case with prejudice for the reasons set forth in the accompanying memorandum of law.

The Board believes that the legal issues in this case are sufficiently straightforward to enable this Court to dismiss Plaintiffs' Complaint on the papers; however, to the extent that the Court is inclined to grant any relief to Plaintiffs, the Board would request an opportunity to present oral argument under Loc. R. 105.6.

Dated: April 27, 2021

Respectfully Submitted,

/s/ Jonathan L. Backer

JONATHAN L. BACKER (D. Md. No. 20000)

NICOLAS Y. RILEY (D. Md. No. 810809)*

Institute for Constitutional Advocacy and Protection

Georgetown University Law Center
600 New Jersey Ave. NW
Washington, DC 20001
nr537@georgetown.edu
jb2845@georgetown.edu
Tel: (202) 662-9042

* *Admitted pro hac vice.*

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2021, I electronically filed the foregoing motion with the Clerk of the U.S. District Court for the District of Maryland by using the CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

/s/ Jonathan L. Backer

JONATHAN L. BACKER (D. Md. No. 20000)
Institute for Constitutional Advocacy and Protection
Georgetown University Law Center
600 New Jersey Ave. NW
Washington, DC 20001
jb2845@georgetown.edu

Attorney for Defendant